

REMARKS

A. Overview

Claims 1-28 are pending in the present application. The Office Action of May 27, 2001 has entered rejections to the claims. Reconsideration is respectfully requested.

B. Section 112 Matters

Claims 17 and 22 have been rejected under 35 U.S.C. § 112 for indefiniteness. Claim 17 has been amended in the manner suggested by the Examiner. Claim 22 has been amended to move the clause " into distinct geographic regions" from the end of the claim to near the front of the claim, to make the subject to which the phrase pertains clearer. These amendments are made solely to remedy any objection to the wording for indefiniteness. It is respectfully submitted that all § 112 matters have been remedied.

C. Section 103 Rejections

(1) Rejections Based on Primary Reference Walker U.S. Patent 5,794,207

Claims 1, 2, 4-18, 20, 22, 23, and 25-28 have been rejected under 35 U.S.C. § 103 as obvious based on Walker U.S. Patent 5,794,207 ("Walker") in view of the Commodity Trading Manual of record ("Manual"). The Examiner admits that Walker does not disclose the invention of these claims, but takes the position they are rendered obvious by combining the teachings of Walker and the Manual. This rejection is respectfully traversed. There is not a teaching or

suggestion of combining Walker and the Manual, and even if combined, they do not teach or suggest the Applicants' claimed invention.

Claims 3 and 19 have likewise been rejected under § 103 as obvious based on Walker and the Manual, and further in view of a Microsoft publication. Claim 21 has been rejected under § 103 as obvious based on Walker and the Manual, further in view of the Peterson U.S. Patent 5,113,643. These rejections are also respectfully traversed. There is not a teaching or suggestion of combining the references in those manners, and even if combined, they do not teach or suggest the inventions set forth in those claims.

However, these § 103 rejections are overcome on the basis of the attached Rule 131 Declaration, which is submitted to remove Walker as a prior art reference. Without primary reference Walker, none of the cited secondary references, alone or in combination, make out a *prima facie* case of obviousness, and it is respectfully submitted that the above itemized claims are allowable over these § 103 rejections.

(2) Rejections Based on Smith in view of Hipsly

Claim 24 has been rejected under 35 U.S.C. § 103 as obvious based on Smith U.S. Patent 5,963,952 in view of Hipsly Publication of record. The Examiner admits that Smith does not alone teach or suggest claim 24, but takes the position a combination of the teachings of Hipsly does teach or suggest claim 24. This rejection is respectfully traversed.

The Examiner has rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Hipsley. The Applicants respectfully traverse. Smith discloses an Internet data entry system that provides for local storage of entered data (Abstract). Smith provides for several different “states.” Smith provides for a “load state”, “data entry state”, “code generation state”, “file state”, and “display state” (See e.g. Figure 4). Each of these “states” is a part of Smith’s finite state machine representation (col. 5, lines 31-32). There is a material difference between Applicants’ “state data” and the state machine states of Smith.

Claim 24 of the Applicant’s invention explicitly requires “a control script which uses a limited amount of state data stored by the Internet browser during the execution of a task.” Smith not disclose this limitation of claim 24, Smith, in fact, teaches away from it. The Examiner cites particularly to Col. 6, lines 14-23 (Office Action, p. 11). The “file state” of Smith saves a generated secondary document with the captured data as entered by the user in a file on a local hard disk of the client computer (col. 6, lines 14-19). The user activates the “file state” through the file pulldown menu of the browser (col. 6, lines 14-16). This methodology allows data entry information to be captured locally (col. 6, lines 19-22).

Smith does not deal with “state data stored by the Internet browser during the execution of a task.” Smith deals with the storing of data, and in particular with the storing of data locally. The fact that Smith can be described as having states does not make its data (entered by a user)

“state data”. Regardless, Smith does not disclose or teach that “the state data stored by the browser identifying a subset of master state data stored in the database system.”

Smith discloses and teaches a bulk upload methodology, where information by the user is placed in a file. The whole file is transferred and stored. In contrast, the invention of claim 24 receives data in real time all through the task, and continuously reconciles the local state of the browser data with the transaction state of the master data subset. If the task is aborted, nothing is saved--it is all deleted and never sent. Hipsley does not fill the gap between the teachings of Smith and the Applicants' claim 24. Therefore, claim 24 is not obviousness in light of the cited references Smith and Hipsley.

D. Drawings

Objections have been made to certain of the drawings related to such things as margins, line clarity. Applicant reserves the right to submit revised drawings to remedy these formalities upon the finding of allowable subject matter in this application.

E. Conclusion

It is respectfully submitted that all matters raised in the Office Action have been addressed and remedied, and that the application is in form for allowance.

A check in the amount of \$55 is enclosed to cover the fee for a one-month of extension of time for submission of this response, for which Applicant respectfully petitions. No additional

fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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- ww -
- Attachment--Declaration and Exhibits

**AMENDMENT — VERSION WITH MARKINGS
TO SHOW CHANGES MADE**

In the Claims

Please amend certain claims as follows:

17. (amended) The method of claim 16 wherein the variable ~~ean~~ is selected from the set comprising time of delivery and a quality measure.

22. (amended) The method of claim 13 further comprising the step of allocating into distinct geographic regions the data related to the number of acres of the agricultural crops desired ~~into~~ distinct geographic regions.